

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CLAUDE GALLAND, VIOLAINE GALLAND,
PARISTUDIOS

Plaintiffs,

**STATEMENT PURSUANT TO
LOCAL CIVIL RULE 56.1(a)**

Civil Action No.: 14 CV 4411

-against-

JAMES JOHNSTON, JUDITH JOHNSTON,
STEPHEN BOWDEN, TERRI BOWDEN
Defendants
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(Judge Richard J. Sullivan)
(Magistrate Judge Ronald L. Ellis)

Defendants, STEPHEN BOWDEN and TERRI BOWDEN, by their attorneys Herzfeld & Rubin, P.C., respectfully submit the following statement of the material facts herein, as to which they contend there is no genuine issue to be tried:

1. Stephen Bowden entered into a Vacation Rental Agreement with plaintiffs Claude Galland and Violaine Galland, for a rental apartment in Paris, France, and pre-paid the rent of \$1,198.

2. Stephen Bowden and Terri Bowden stayed at the rental apartment from May 17, 2014 through May 23, 2014.

3. After their stay at the apartment, based solely on their personal opinion, Terri Bowden submitted the following review of their stay in the apartment, to the Vacation Rentals by Owner website:

“Small and noisy but close to the Notre Dam (sic).”

This apartment was much smaller than it appeared in the pictures. There is a mirrored wall that makes it look larger than it is. To be fair, it does compare in size with other places I have stayed in Paris. It is in a very noisy neighborhood, The Latin Quarter, and we could hear people on the

street most of the night and on the weekends they were very loud going up and down the stairs at all hours of the night!! Be prepared for no air conditioner. There is a portable fan which was a big help. Pack light as there is no closet and no drawers to put your clothes. The kitchen is really to (sic) small to cook in other than fix coffee or heat something up. The bathroom is also tiny. I would not recommend this for more than 2 people! On the plus side, it is attractive enough and very close to the metro and Notre Dam (sic).

Dated: October 13, 2014

A handwritten signature in black ink, appearing to read "Joseph E. Donat", written over a horizontal line.

Joseph E. Donat